

## ***Guardianship Forms Description***

### ***1. Petition for Guardianship of Person and/or Estate***

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<b>Purpose:</b>	A petition to establish a guardianship of the person and/or estate.
<b>When Used or Filed:</b>	The Petition for Guardianship of Person and/or Estate is filed when an interested party decides to petition the court to appoint a legal guardian for the person and/or estate of another.
<b>Who is Responsible to File Form:</b>	Any interested party.
<b>Statutory References:</b>	RCW 11.88.030; King County Superior Court Local Rule 98.20(a).

### ***2. Notice of Guardianship Petition***

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<b>Purpose:</b>	To provide the alleged incapacitated person with notice that a petition has been entered to establish a guardianship and to provide that person with a clear and easily readable statement of their rights.
<b>When Used or Filed:</b>	No more than 5 days after the petition has been filed.
<b>Who is Responsible to File Form:</b>	The petitioner.
<b>Statutory Reference:</b>	RCW 11.88.030(4)(b).

### ***3. Order Appointing Guardian ad Litem and Notice of Hearing***

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<b>Purpose:</b>	A court order appointing a guardian ad litem who is free of any influence from anyone interested in the result of the proceeding and has the requisite knowledge, training, and expertise.
<b>When Used or Filed:</b>	The court appoints a guardian ad litem upon receipt of a petition for appointment of guardian or limited guardian.
<b>Who is Responsible to File Form:</b>	The petitioner.
<b>Statutory Reference:</b>	RCW 11.88.090.

### ***4. Guardian ad Litem's Statement of Qualifications***

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<b>Purpose:</b>	To inform the court of the background and qualifications of a guardian ad litem.
<b>When Used or Filed:</b>	Attached to the guardian ad litem report.
<b>Who is Responsible to File Form:</b>	The guardian ad litem.
<b>Statutory Reference:</b>	RCW 11.88.090(3).

### ***5A. Verified Petition to Appoint Attorney for Alleged Incapacitated Person***

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<b>Purpose:</b>	To appoint an attorney for an alleged incapacitated person.
<b>When Used or Filed:</b>	At any stage in the guardianship proceeding.

**Who is Responsible to File Form:** Any interested party.  
**Statutory Reference:** RCW 11.88.045.

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***5B. Findings and Order Appointing Attorney for the Alleged Incapacitated Person***

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**Purpose:** To appoint an attorney for an alleged incapacitated person.  
**When Used or Filed:** At any stage in the guardianship proceeding.  
**Who is Responsible to File Form:** Any interested party.  
**Statutory Reference:** RCW 11.88.045.

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***6. Medical/Psychological Report***

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**Purpose:** To report the medical and psychological status of the alleged incapacitated person.  
**When Used or Filed:** Filed in conjunction with the guardian ad litem report with 45 days after notice of commencement of the guardianship proceedings has been served upon the guardian ad litem and at least 15 days before the hearing on the petition.  
**Who is Responsible to File Form:** The guardian ad litem. Note, the report must be prepared by a licensed physician under RCW 18.71 or 18.57 or a licensed or certified psychologist selected by the guardian ad litem within 30 days of personally interviewing or examining the alleged incapacitated person.  
**Statutory Reference:** RCW 11.88.045 and RCW 11.88.090(4).

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***7. Guardian ad Litem Report***

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**Purpose:** To provide the court with a written report of the investigation done by the guardian ad litem.  
**When Used or Filed:** Filed within 45 days after notice of commencement of the guardianship proceedings has been served upon the guardian ad litem and at least 15 days before the hearing on the petition.  
**Who is Responsible to File Form:** The guardian ad litem.  
**Statutory Reference:** RCW 11.88.090(4).

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***8. Declaration of Proposed Guardian (Certified)***

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**Purpose:** Provides the court with a statement of the qualifications of the proposed guardian.  
**When Used or Filed:** The declaration is used or filed in support of a petition for the appointment of a person, trust company, national bank, or nonprofit corporation as guardian or limited guardian of an incapacitated person.  
**Who is Responsible to File Form:** The proposed guardian or limited guardian.

**Statutory Reference:** Local rule.

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***9. Declaration of Proposed Guardian (Non-Certified)***

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**Purpose:** Provides the court with a statement of the qualifications of the proposed guardian.

**When Used or Filed:** The declaration is used or filed in support of a petition for the appointment of a person, trust company, national bank, or nonprofit corporation as guardian or limited guardian of an incapacitated person.

**Who is Responsible to File Form:** The proposed guardian or limited guardian.

**Statutory Reference:** Local rule.

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***10. Order Appointing Guardian of Person and Estate***

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**Purpose:** A court order to appoint a guardian of the person and/or the estate for an incapacitated person.

**When Used or Filed:** Upon approval of a petition to appoint a guardian of the person and/or estate.

**Who is Responsible to File Form:** The petitioning party.

**Statutory Reference:** RCW 11.88.095.

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***20. Oath of Guardian***

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**Purpose:** To bind the guardian to the guardianship.

**When Used or Filed:** Before letters of guardianship are issued.

**Who is Responsible to File Form:** The proposed guardian or limited guardian.

**Statutory Reference:** RCW 11.88.100.

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***21. Guardianship Inventory***

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**Purpose:** To provide the court with an inventory of the incapacitated person's property.

**When Used or Filed:** Filed within 3 months of the Guardian's appointment, annually within 90 days of the anniversary of the appointment, and within 30 days after termination.

**Who is Responsible to File Form:** The guardian or limited guardian of the estate.

**Statutory Reference:** RCW 11.92.040.

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***22. Personal Care Plan***

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**Purpose:** To provide the court with an assessment of the incapacitated person's physical, mental, and emotional needs and the guardian's specific plan for meeting these identified needs.

**When Used or Filed:** Filed within 3 months of the Guardian's appointment.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.92.043.

***23. Designation of Standby Guardian***

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**Purpose:** To designate a person or entity to serve as guardian or limited guardian of an incapacitated person upon the death or legal incapacity of the court appointed guardian or limited guardian.

**When Used or Filed:** Filed after the issuance of Letters of Guardianship.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.88.125.

***24. Reserved***

***25. Notice of Right to Request Special Notice***

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**Purpose:** To inform any person interested in the guardianship or limited guardianship or the incapacitated person of their right to request special notice of specific or all actions in the guardianship.

**When Used or Filed:** After the appointment of a guardian or limited guardian.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.92.150.

***26. Request for Special Notice***

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**Purpose:** To provide any person interested in the estate or the incapacitated person with notice of specific or all actions in the guardianship.

**When Used or Filed:** At any time after the issuance of the letters of guardianship.

**Who is Responsible to File Form:** Any interested party to the estate or the person of the incapacitated person..

**Statutory Reference:** RCW 11.92.150.

***27. Declaration of Guardian: Assets Held in Financial Institutions***

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**Purpose:** To Provide the court with an accounting of the assets of the guardianship held in financial institutions.

**When Used or Filed:** After the guardian has marshaled the assets of the guardianship.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.92.040; RCW 11.92.096.

***28. Reserved***

***29A. Guardian's Report and Accounting***

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<b>Purpose:</b>	Inform the court as to the status of the incapacitated person and provides the court with a verified accounting of the administration of the guardianship.
<b>When Used or Filed:</b>	Filed periodically (12, 24, or 36 months) as required by court order. It is due within 90 days of the anniversary of the appointment of the guardian.
<b>Who is Responsible to File Form:</b>	The guardian or limited guardian.
<b>Statutory Reference:</b>	RCW 11.92.040.

***29A1. Form #1 – General Purpose***

**This form may be used by all guardians of the estate.**

***29A2. Form #2 – Short Form***

**Use this form if the value of the incapacitated person's estate is less than \$60,000.**

***29A3. Form #3 – Professional Guardians and Trustees***

**This form of accounting insert is to be completed by professional guardians of the estate; trustees; and by others if the estate exceeds \$60,000 in beginning value.**

***30. Notice of Hearing and Declaration of Mailing***

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<b>Purpose:</b>	To provide all interested parties with notice of the hearing.
<b>When Used or Filed:</b>	Filed when the moving party files a motion, no later than 14 days before the scheduled hearing date.
<b>Who is Responsible to File Form:</b>	The moving party.
<b>Statutory Reference:</b>	LR 98.20; Superior Court Civil Rule 4, 5; RCW 4.28.080-110.

***31. Reserved***

***32. Notice of Change of Address***

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<b>Purpose:</b>	To provide the court with information regarding a change of address in the residence of the incapacitated person, the guardian, the attorney, or other interested party.
<b>When Used or Filed:</b>	Filed within thirty days of the change of residence.
<b>Who is Responsible to File Form:</b>	The guardian or limited guardian, the attorney, or another interested party.
<b>Statutory Reference:</b>	RCW 11.92.043.

***33A. Petition for Approval of Budget and Disbursements and Personal Care Plan***

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<b>Purpose:</b>	To receive court approval for the guardianship budget and disbursements.
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**When Used or Filed:** Filed prior to making disbursements from the guardianship estate.  
**Who is Responsible to File Form:** The guardian or limited guardian.  
**Statutory Reference:** RCW 11.92.040.

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***33B. Order Approving Budget and Disbursements***

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**Purpose:** A court order approving the guardianship budget and disbursements.  
**When Used or Filed:** Upon petition for approval of the guardianship budget and disbursements.  
**Who is Responsible to File Form:** The guardian or limited guardian.  
**Statutory Reference:** RCW 11.92.140.

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***34. Notice of Change in Circumstances***

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**Purpose:** To provide the court with information regarding changes in the incapacitated person's finances or physical condition.  
**When Used or Filed:** Filed within thirty days of any changes to the incapacitated person's finances or physical condition.  
**Who is Responsible to File Form:** The guardian or limited guardian.  
**Statutory Reference:** RCW 11.92.043.

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***35. Receipt for Payment of Attorney's Fees***

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**Purpose:** To provide proof of payment of attorney's fees.  
**When Used or Filed:** Filed upon payment of attorney's fees.  
**Who is Responsible to File Form:** The guardian or limited guardian.

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***36. Creditor's Receipt***

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**Purpose:** To provide proof of payment of creditor's claim.  
**When Used or Filed:** Filed upon payment of creditor's fees.  
**Who is Responsible to File Form:** The guardian or limited guardian.  
**Statutory Reference:** RCW 11.62.

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***36. Receipt of Funds into Blocked Account***

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**Purpose:** To provide the court with proof of deposit of the incapacitated person's funds into a blocked financial account so as to secure the guardianship assets.  
**When Used or Filed:** Filed after the guardian or limited guardian secures the guardianship assets.  
**Who is Responsible to File Form:** The guardian or limited guardian of the estate.  
**Statutory Reference:** RCW 11.92.040.

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***50A. Petition for Instructions***

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<b>Purpose:</b>	Informs the court as to facts surrounding a given situation in which the authority of the guardian or limited guardian is uncertain.
<b>When Used or Filed:</b>	Filed whenever a situation arises in which the authority of the guardian or limited guardian is uncertain.
<b>Who is Responsible to File Form:</b>	The guardian or limited guardian.
<b>Statutory Reference:</b>	RCW 11.96.

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***50B. Order on Petition for Instructions***

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<b>Purpose:</b>	A court order instructing a guardian as to the scope of the guardian's authority.
<b>When Used or Filed:</b>	Upon filing the Petition for Instructions.
<b>Who is Responsible to File Form:</b>	The guardian or limited guardian.
<b>Statutory Reference:</b>	RCW 11.96.

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***51A. Petition for Order Extending Time***

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<b>Purpose:</b>	To request an extension for a currently scheduled due date for an action.
<b>When Used or Filed:</b>	Used when an extension of time is needed and good cause exists to extend time.
<b>Who is Responsible to File Form:</b>	The guardian or limited guardian.
<b>Statutory Reference:</b>	RCW 11.96.

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***51B. Order on Petition for Extending Time***

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<b>Purpose:</b>	To request an extension for a currently scheduled due date for an action.
<b>When Used or Filed:</b>	Used when an extension of time is needed and good cause exists to extend time.
<b>Who is Responsible to File Form:</b>	The guardian or limited guardian.
<b>Statutory Reference:</b>	RCW 11.96.

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***52A. Petition for Order Continuing Hearing***

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<b>Purpose:</b>	To request a continuance for a currently scheduled hearing.
<b>When Used or Filed:</b>	Used when a continuance for a currently scheduled hearing is needed and good cause exists to grant the continuance.
<b>Who is Responsible to File Form:</b>	The guardian or limited guardian.
<b>Statutory Reference:</b>	RCW 11.96.

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***52B. Order on Petition for Continuing Hearing***

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<b>Purpose:</b>	To request a continuance for a currently scheduled hearing.
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**When Used or Filed:** Used when a continuance for a currently scheduled hearing is needed and good cause exists to grant the continuance.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.96.

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***53A. Petition for Sale of Personal Property***

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**Purpose:** Directs the sale of any personal property of the incapacitated person.

**When Used or Filed:** Used when the guardian or limited guardian decides to sell the incapacitated person's personal property.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.92.040.

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***53B. Order for Sale of Personal Property***

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**Purpose:** Directs the sale of any personal property of the incapacitated person.

**When Used or Filed:** Used when the guardian or limited guardian decides to sell the incapacitated person's personal property.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.92.040.

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***54A Petition for Order Authorizing Sale of Real Property***

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**Purpose:** Informs the court of the guardian's or limited guardian's sale of any real property of the estate of the incapacitated person.

**When Used or Filed:** Used within ten days of the sale of the incapacitated person's real property.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.92.110.

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***54B. Order Authorizing Sale of Real Property Subject to Court Confirmation***

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**Purpose:** Informs the court of the guardian's or limited guardian's sale of any real property of the estate of the incapacitated person.

**When Used or Filed:** Used within ten days of the sale of the incapacitated person's real property.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.92.110.

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***55A. Petition for Order Directing Sale of Real Property***

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**Purpose:** Directs the sale of any real property of the estate of the incapacitated person.



**When Used or Filed:** At any time after the expiration of ten days from the guardian or limited guardian's filing of the return of sale of real property with the clerk of the court.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.92.115.

***55B. Order Directing Sale of Real Property***

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**Purpose:** Directs the sale of any real property of the estate of the incapacitated person.

**When Used or Filed:** At any time after the expiration of ten days from the guardian or limited guardian's filing of the return of sale of real property with the clerk of the court.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.92.115.

***55C. Reserved***

***55D. Return on Sale of Real Property***

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**Purpose:** Verifies the sale of any real property by the guardian.

**When Used or Filed:** Filed within ten days of making any sale of real estate.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.92.115.

***56. Order Confirming Sale of Real Property***

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**Purpose:** Directs the guardian or limited guardian to make, execute, and deliver instruments conveying title of the incapacitated person's real property to the person to whom the property may be sold.

**When Used or Filed:** At any time after the expiration of ten days from the guardian or limited guardian's filing of the return of sale of real property with the clerk of the court and after the court has approved the sale.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.92.115.

***57A. Petition and Declaration for Withdrawal from Blocked Financial Account***

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**Purpose:** To request court approval for a withdrawal from a blocked financial account.

**When Used or Filed:** Filed when a guardian or limited guardian seeks to withdraw funds from a blocked financial account.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.92.040(3).

***57B. Order for Withdrawal from Blocked Account***

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<b>Purpose:</b>	To request court approval for a withdrawal from a blocked financial account.
<b>When Used or Filed:</b>	Filed when a guardian or limited guardian seeks to withdraw funds from a blocked financial account.
<b>Who is Responsible to File Form:</b>	The guardian or limited guardian.
<b>Statutory Reference:</b>	RCW 11.92.040(3).

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***58A. Notice of Guardian's Intent to Resign and Petition to Appoint Successor Guardian***

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<b>Purpose:</b>	To provide notice to all interested parties of the guardian or limited guardian's intent to resign.
<b>When Used or Filed:</b>	Upon filing a motion to resign.
<b>Who is Responsible to File Form:</b>	The guardian or limited guardian.
<b>Statutory Reference:</b>	RCW 11.88.120.

***58B. Reserved***

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***60. Notice of Death of Incapacitated Person***

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<b>Purpose:</b>	To inform the court of the death of the incapacitated person.
<b>When Used or Filed:</b>	Within thirty days of the death of the incapacitated person.
<b>Who is Responsible to File Form:</b>	The guardian or limited guardian.
<b>Statutory Reference:</b>	RCW 11.92.043.

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***61A. Petition for Order Approving Guardian's Activities and Final Report***

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<b>Purpose:</b>	To provide the court with a final verified account of the administration of the guardianship.
<b>When Used or Filed:</b>	Upon completion of the guardian or limited guardian's duties..
<b>Who is Responsible to File Form:</b>	The guardian or limited guardian.
<b>Statutory Reference:</b>	RCW 11.88.140.

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***61B. Order Approving Guardian's Final Report***

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<b>Purpose:</b>	A court order approving the guardian's final report.
<b>When Used or Filed:</b>	Upon filing the Petition for Order Approving Guardian's Activities and Final Report.
<b>Who is Responsible to File Form:</b>	The guardian or limited guardian.
<b>Statutory Reference:</b>	RCW 11.88.140.

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***62B. Petition for Order Closing Guardianship and Discharging Guardian***

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<b>Purpose:</b>	To inform the court that the guardianship is no longer necessary.
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**When Used or Filed:** Upon the determination by the guardian or limited guardian that the guardianship is no longer necessary.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.88.140.

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***62B. Order Closing Guardianship and Discharging Guardian***

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**Purpose:** A court order terminating the guardianship and discharging the guardian or limited guardian.

**When Used or Filed:** Upon the determination by the guardian or limited guardian that the guardianship is no longer necessary.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.88.140.

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***63A. Declaration of Completion for Guardianship of a Minor***

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**Purpose:** To inform the court and all interested parties that the minor has attained legal age and the guardianship is complete.

**When Used or Filed:** Upon the minor's attainment of legal age.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.88.140.

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***63B. Notice of Filing of Declaration of Completion***

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**Purpose:** To inform the court and all interested parties that the minor has attained legal age and the guardianship is complete.

**When Used or Filed:** Upon the minor's attainment of legal age.

**Who is Responsible to File Form:** The guardian or limited guardian.

**Statutory Reference:** RCW 11.88.140.

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***63C. Declaration of Mailing***

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**Purpose:** To provide proof of mailing to all persons who have requested notice of guardianship proceedings.

**When Used or Filed:** Filed each time the moving party files a document with the court the must be approved by the court.

**Who is Responsible to File Form:** The moving party.

**Statutory Reference:** Superior Court Civil Rule 4, 5; RCW 4.28.080-110.